the nervous system; that the product would give relief in those cases by its sedative action which would accomplish a quieting and soothing influence and take the strain and tension from the overtaxed nerves and help them function calmly—which representations were false and misleading in that they created the impression that the article constituted an appropriate treatment for use as a sedative in common nervousness, sleeplessness, restlessness, nervous irritability, functional nervous disturbances, and headache due to common nervousness; whereas it did not constitute an appropriate treatment for such conditions but was a dangerous drug. It was alleged to be misbranded further in that its labeling failed to reveal the fact, material in the light of the representations made, that the use of the article in accordance with the directions might lead to mental derangement, skin eruptions, and other serious effects. It was alleged to be misbranded further in that it was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling.

On May 27, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

143. Misbranding of Capsules Ka-No-Mor. U. S. v. 144 Packages of Capsules Ka-No-Mor. Default decree of condemnation and destruction. (F. D. C. No. 1941. Sample No. 14238-E.)

This product contained acetanilid, caffeine, and aspirin; and it would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling. It was misbranded further for the reasons indicated below.

On May 9, 1940, the United States attorney for the District of Delaware filed a libel against 144 packages of Ka-No-Mor at Wilmington, Del., alleging that the article had been shipped in interstate commerce on or about April 23, 1940, by A. G. Luebert, P. D., from Coatesville, Pa.; and charging that it was misbranded.

It was alleged to be misbranded in that the labeling bore representations that it would give quick relief from pains and aches, headache, neuralgia, colds, fever, toothache, neuritis, and rheumatic pains; would relieve pain and discomfort of simple headaches and neuralgias, head colds, muscular pains and aches; and that it did not contain opiates or narcotics in any form, that one capsule should be taken with a half glass of water and repeated in 20 minutes if necessary, then one every 3 hours as required; that for simple headaches one capsule should be taken with a glass of water and if not relieved within 1 hour, that the dose should be repeated; that when pain is severe, one capsule could be taken every 3 hours until relief is obtained; that for simple neuralgia, such as nerve pains of the head, face, back or limbs, 1 capsule should be taken with a glass of water; repeated in 1 hour if necessary and continued every 3 or 4 hours as required; that it would relieve toothache and was splendid for the relief of pain after extraction of teeth and would relieve the ache after sensitive teeth had been filled; that common colds would usually respond more quickly if one capsule were taken every 3 hours; that it would tend to reduce fever and that it could be taken regularly every 4 hours if required when pain is severe and continual, which representations were false and misleading in that they created the impression that the article constituted an appropriate treatment for these conditions; whereas it was not such a safe and appropriate remedy but was a dangerous drug and also because the label failed to reveal the fact, material in the light of the representations above referred to, that the use of the article in accordance with directions might cause serious blood disturbances, anemia, collapse, or dependence on the drug.

It was alleged to be misbranded further in that its label failed to bear adequate directions for use and adequate warnings for the protection of users.

It was alleged to be misbranded further in that it was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling.

On June 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

144. Misbranding of Renton's Hydrocin Tablets. U. S. v. 10 Bottles, 14 Bottles, and 2 Bottles of Renton's Hydrocin Tablets. Default decrees of condemnation and destruction. (F. D. C. Nos. 138, 139. Sample Nos. 41545-D, 50567-D.)

This product contained cinchophen. Its labeling bore representations regarding its use as an analgesic and antipyretic, recommending a dose of 1 to 2 tablets as directed by the physician and that it should be used solely under a

physician's guidance. Investigation, however, disclosed that the drug was frequently dispensed without a physician's prescription. It would be dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended, or suggested in the labeling.

On January 25 and 30, 1939, the United States attorneys for the District of Utah and the Eastern District of Washington filed libels against 10 bottles each containing 50 Renton's Hydrocin Tablets at Ogden, Utah, and 16 bottles containing a total of 1,700 tablets of the same product at Spokane, Wash., alleging that the article had been shipped in interstate commerce by Pasadena Products, Inc., from Pasadena, Calif., within the period from on or about August 31, 1938, to on or about January 3, 1939; and charging that it was misbranded for the reasons appearing above.

On March 13 and 24, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

145. Misbranding of Neuroine. U. S. v. 11 Bottles of Neuroine. Default decree of condemnation and destruction. (F. D. C. No. 1677. Sample No. 37513–D.)

This product contained sodium bromide and alcohol, and would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling. It contained more sodium bromide and less alcohol than the amounts declared.

On March 22, 1940, the United States attorney for the Western District of Missouri filed a libel against 11 bottles of Neuroine at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 30, 1940, by the Link Chemical Co. from Emporia, Kans.; and charging that it was misbranded.

It was alleged to be misbranded in that the representations in the labeling that it contained 60 grains of sodium bromide and 25 percent of alcohol, were false and misleading since the bottle (1 pint) contained very materially more than 60 grains of sodium bromide and materially less than 25 percent of alcohol. It was alleged to be misbranded further in that it was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which directed a dosage for adults of a tablespoonful to an ounce, as necessary to control case, with proportionate dosage for children.

On June 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

146. Adulteration and misbranding of Migro Headache Powder. U. S. v. 13 Boxes of Migro Headache Powder. Default decree of condemnation and destruction. (F. D. C. No. 1745. Sample No. 88912–D.)

These powders consisted essentially of acetanilid, sodium bicarbonate, tartaric acid, and milk sugar. They would be dangerous to health when used in the dosage or with the frequency or duration prescribed in the labeling, which failed to reveal the consequences which might result from their use. The labeling was further objectionable, as indicated below.

On April 15, 1940, the United States attorney for the Northern District of Indiana filed a libel against 13 boxes of Migro Headache Powder at South Bend, Ind., alleging that the article had been shipped in interstate commerce on or about February 6, 1940, by C. J. Czarnecki from Detroit, Mich.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, 5 grains of acetanilid per powder since it contained materially more than 5 grains of acetanilid per powder.

Misbranding was alleged in that the representations on the label that each powder contained 5 grains of acetanilid was false and misleading since it contained materially more than 5 grains of acetanilid per powder.

It was alleged to be misbranded further in that its labeling bore representations that it was a headache powder, was intended for the relief of simple headache, and bore directions that one powder be taken and repeated in 1 hour if not relieved, which were false and misleading since the impression was created thereby that the article constituted an appropriate treatment for conditions such as those described in the labeling; whereas it was not a safe and appropriate remedy but was a dangerous drug and the labeling failed to reveal the fact, which was material in the light of the representations made on the label, that the use of the article in accordance with the directions